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RHEHNSC/NSC WASHDC PRIORITY
INFO RUEHCV/AMEMBASSY CARACAS 9357
RUEHLP/AMEMBASSY LA PAZ OCT LIMA 5446
RUEHZP/AMEMBASSY PANAMA 0669
RUEHQT/AMEMBASSY QUITO 6045
RUEHGL/AMCONSUL GUAYAQUIL 4091

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TAGS: [PGOV](#) [KJUS](#) [PINR](#) [PHUM](#) [PTER](#) [CO](#)
SUBJECT: AMBASSADOR BROWNFIELD'S SEPTEMBER 26 MEETING WITH
MINISTER OF INTERIOR AND JUSTICE CARLOS HOLGUIN

REF: A. A) BOGOTA 6020
[1](#)B. B) BOGOTA 6932

Classified By: Ambassador William R. Brownfield Reason: 1.4(b,d)

[1](#)1. (C) Summary: Minister of Interior and Justice (MOIJ) Holguin told the Ambassador on September 26 that the Justice and Peace Law (JPL) process faced difficult challenges as it addresses the legal status of 18,000 rank and file demobilized paramilitary. The recent victims protection decree will reinforce key commitments under the JPL. Holguin said the GOC needs additional evidence to build a case for extraditing Diego Fernando Murillo (aka "Don Berna"). He also expressed appreciation for USAID's Casas de Justicia program which provides access to justice for vulnerable populations. End summary.

[1](#)2. (C) At a September 26 meeting with the Ambassador, MOIJ Carlos Holguin said JPL implementation remains challenging, with the status of 18,000 rank and file paramilitaries in judicial limbo. The 18,000, who have not committed serious human rights or drug trafficking violations, had sought pardons for United Self-defense Forces of Colombia (AUC) membership under Law 782 and the JPL. The Supreme Court ruled July 11 that these paramilitaries had allegedly committed political crimes, making them ineligible for pardons. A GOC bill under consideration in Congress would fix this problem by charging them with "simple conspiracy," a crime that can be pardoned under 782. The MOIJ and Fiscalía viewed attempts to initiate criminal investigations against the 18,000 as impractical and a distraction from the original goal of investigating the 2,978 paramilitaries seeking JPL benefits.

[1](#)3. (C) The Ambassador said that the new victims, protection program (Decree 3570 announced on September 18) made positive progress towards protecting the 80,000 victims registered under the JPL. He encouraged MOIJ to proceed quickly with implementation of the decrees. He underscored the importance of seeking areas where we can work together on victims, protection and encouraged the Ministry to increase visibility and public awareness on these positive efforts. Holguin responded that the MOIJ had the bulk of responsibility in ensuring the success of the decree and welcomed U.S. input.

[1](#)4. (C) In response to the Ambassador's inquiry on the extradition status of Don Berna, Holguin said the GOC needs additional evidence showing Murillo continued his criminal

activity after his demobilization. In addition, the GOC must proceed with care on such sensitive cases, and continue its overarching goal to dismantle the narcotrafficking business and continue capturing key drug dealers like Diego Leon Montoya Sanchez (aka "Don Diego"). The Ambassador urged Holguin to maintain open communication with the Embassy so we remain clear on next steps as this case develops.

15. (C) Holguin expressed appreciation for the Embassy's strong support of justice programs, highlighting USAID's Casas de Justicia program which provides access to justice for vulnerable populations. USAID has provided \$317,000 toward the construction of two new Casas de Justicia in Segovia and Itagui, with the MOIJ contributing another \$200,000. He suggested that the Ministry and Embassy plan working-level meetings soon to review the status of this project and other areas for collaboration.
Brownfield